

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 10, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA *ex*
rel. WENDY BALLARD, Relator

Plaintiff,

v.

OMNICELL, INC.,

Defendant.

No. 2:23-CV-00240-MKD

ORDER GRANTING JOINT
STIPULATED MOTION TO
DISMISS AND APPLICATION FOR
LIFT OF SEAL PURSUANT TO
FED. R. CIV. P. 41(a)(1)(A)(ii) AND
LCIVR 41(a)(1)(B)

ECF No. 13

Before the Court is the parties' Joint Stipulated Motion to Dismiss and Application for Lift of Seal, ECF No. 13. Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2), (4), and Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties stipulate to the dismissal of all claims with prejudice as to Relator, and with prejudice as to the United States to the extent of the Covered Conduct as defined in the Settlement Agreement between the parties, and otherwise without prejudice as to the United States only. *Id.* at 1-2. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and LCivR 41(a)(1)(B), a plaintiff may dismiss an action without court order by filing a

1 stipulation of dismissal signed by all parties who have appeared. The Joint
2 Stipulation is signed by all parties who have appeared.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The parties' Joint Stipulated Motion to Dismiss and Application for
5 Lift of Seal, **ECF No. 13**, is **GRANTED**.

6 2. This case, and all filings under this case are no longer under seal.

7 3. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all claims
8 are **DISMISSED with prejudice** as to Relator, and **DISMISSED with prejudice**
9 as to the United States to the extent of the Covered Conduct as defined in the
10 Settlement Agreement between the parties, and otherwise **without prejudice** as to
11 the United States only.

12 4. The Court shall retain jurisdiction to enforce the terms of the
13 Settlement Agreement between the parties.

14 5. Any pending motions are **DENIED as moot**.

15 6. All hearings and other deadlines are **STRICKEN**.

16 **IT IS SO ORDERED.** The District Court Executive is directed to file this
17 Order, provide copies to counsel, **CLOSE** the file, and **UNSEAL** the case.

18 DATED June 10, 2025.

19 s/Mary K. Dimke
MARY K. DIMKE
20 UNITED STATES DISTRICT JUDGE